

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Howard Levey, John and Susan L. Walter, h/w	:	
<i>and</i>	:	
Allstate Insurance Company	:	
	Plaintiffs	:
	:	C.A. No. 1:06-cv-510 JJF
V.	:	
	:	
Boat America Corporation,	:	
<i>and</i>	:	
Delaware Bay Launch Service, Inc.	:	
	Defendants	:

ANSWER OF PLAINTIFFS TO DEFENDANT
BOAT AMERICA CORPORATION'S COUNTERCLAIM

Plaintiffs, Howard Levey, John and Susan L. Walter, h/w, and Allstate Insurance Company, by and through their attorneys, Charles M. Oberly, III and Stephen K. Carr, hereby Answer Defendant Boat America Corporation's Counterclaim as follows:

43. Denied. Plaintiffs deny the allegation set forth in this paragraph that Defendant Boat America Corporation is entitled to contribution from Plaintiffs and further deny that they negligently, individually or jointly, were the proximate cause of the injuries alleged in the Complaint.

44. Denied. Plaintiffs deny the allegations set forth in this paragraph that Defendant Boat America Corporation is entitled to contribution from Plaintiffs and further deny that they

-2-

negligently, individually or jointly, were the proximate cause of the incident alleged in the Complaint.

OBERLY, JENNINGS & RHODUNDA

/s/ Charles M. Oberly, III

CHARLES M. OBERLY, III, ESQ. (743)
1220 Market Street, Suite 710
P. O. Box 2054
Wilmington, DE 19899
(302) 576-2000

/s/ Stephen K. Carr

STEPHEN K. CARR, ESQ. (9896)
6057 Schlentz Hill Road
Pipersville, PA 18947
(215) 766-0642

Date: September 27, 2006

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Howard Levey, John and Susan L. Walter, h/w :	:
and	:
Allstate Insurance Company	:
Plaintiffs	:
	:
V.	:
	:
Boat America Corporation,	:
and	:
Delaware Bay Launch Service, Inc.	:
Defendants	;

CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused true and correct copies of the foregoing Answer of Plaintiffs to Defendant Boat America Corporation's Counterclaim to be served via e-filing and first class mail, postage prepaid upon the following:

William J. Cattie, III, Esq., #953
George T. Lees, III, Esq., #4012
300 Delaware Avenue, Suite 1015
P. O. Box 588
Wilmington, DE 19899-0588
Attorneys for Boat America Corporation

Michael B. McCauley, Esq., #2416
Palmer Beizup & Henderson
1223 Foulk Road
Wilmington, DE 19803
Attorney for Delaware Bay Launch
Service, Inc.

OBERLY, JENNINGS & RHODUNDA

/s/ Charles M. Oberly, III

CHARLES M. OBERLY, III, ESQ. (743)
1220 Market Street, Suite 710
P. O. Box 2054
Wilmington, DE 19899
(302) 576-2000
Attorney for Plaintiffs

Date: September 27, 2006

